

ESTTA Tracking number: **ESTTA711502**

Filing date: **11/30/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	LinkedIn Corporation
Granted to Date of previous extension	11/29/2015
Address	2029 Stierlin Court Mountain View, CA 94043 UNITED STATES
Attorney information	Judd D. Lauter Cooley LLP 1299 Pennsylvania Ave. NW, Suite 700 Washington, DC 20004 UNITED STATES jlauter@cooley.com, jcullum@cooley.com, aanderson@cooley.com, trademarks@cooley.com

### Applicant Information

Application No	86507594	Publication date	06/02/2015
Opposition Filing Date	11/30/2015	Opposition Period Ends	11/29/2015
Applicant	inYOW, LLC Corporation Trust Center 1209 Orange St. Wilmington, DE 19801 UNITED STATES		

### Goods/Services Affected by Opposition

Class 009. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Computer software for enabling uploading, downloading, accessing, posting, displaying, editing, tagging, blogging, streaming, linking, sharing and otherwise providing electronic media and information via computer and communication networks, and the collection, editing, organizing, modifying, transmission, storage and sharing of user-defined content and information.; Software for sending and receiving electronic messages, graphics, images, audio and audio visual content via global communication networks
Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels
Class 038. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Audio and video broadcasting services over the Internet; Peer-to-peer network computer services, namely, electronic transmission of audio, video and other data and documents among computers; Peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; Providing on-line chat rooms and elec-

tronic bulletin boards for transmission of messages among users in the field of general interest
Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: On-line journals, namely, blogs featuring user-defined content in the form of multi-media stories and commentary
Class 042. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Providing customized on-line web pages and data feeds featuring user-defined information, which includes blog posts, new media content, other on-line content, and on-line web links to other websites
Class 045. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: On-line social networking services; Providing on-line computer databases and on-line searchable databases in the field of social networking

## Grounds for Opposition

Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


## Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3971642	Application Date	07/16/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 009. First use: First Use: 2007/04/00 First Use In Commerce: 2007/04/00 Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, storage and sharing of data and information in the fields of business and social networking, employment, careers and recruiting; downloadable electronic publications in the nature of newsletters, research reports, articles and white papers on topics of professional interest, all in the fields of business and social networking, recruiting and employment, and personal and career development; computer software development tools for business and social networking; computer software that provides web-based access to applications and services through a web-operating system or portal interface		


U.S. Registration No.	4023511	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "IN" shown inside a square with a shaded background.		
Goods/Services	Class 009. First use: First Use: 2007/04/00 First Use In Commerce: 2007/04/00 Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, storage and sharing of data and information in the fields of business and social networking, employment, careers and recruiting; downloadable electronic publications in the nature of newsletters, research reports, articles and white papers on topics of professional interest, all in the fields of business and social networking, recruiting and employment, and personal and career development; computer software development tools for business and social networking; computer software that provides web-based access to applications and services through a web-operating system or portal interface		

U.S. Registration No.	4023512	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		

Design Mark	<h1>LINKEDIN</h1>
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2007/04/00 First Use In Commerce: 2007/04/00 Computer software for the collection, editing, organizing, modifying, bookmarking, transmission, storage and sharing of data and information in the fields of business and social networking, employment, careers and recruiting; downloadable electronic publications in the nature of newsletters, research reports, articles and white papers on topics of professional interest, all in the fields of business and social networking, recruiting and employment, and personal and career development; computer software development tools for business and social networking; computer software that provides web-based access to applications and services through a web-operating system or portal interface


U.S. Registration No.	4023513	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "IN" shown in white letters inside a blue square.		
Goods/Services	Class 009. First use: First Use: 2007/04/00 First Use In Commerce: 2007/04/00 Computer software for the collection, editing, organizing, modifying, bookmark-		

	ing, transmission, storage and sharing of data and information in the fields of business and social networking, employment, careers and recruiting; downloadable electronic publications in the nature of newsletters, research reports, articles and white papers on topics of professional interest, all in the fields of business and social networking, recruiting and employment, and personal and career development; computer software development tools for business and social networking; computer software that provides web-based access to applications and services through a web-operating system or portal interface
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U.S. Registration No.	3074241	Application Date	05/05/2003
Registration Date	03/28/2006	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/05/05 First Use In Commerce: 2003/05/05 Online business networking services		

U.S. Registration No.	3074242	Application Date	05/05/2003
Registration Date	03/28/2006	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 2003/05/05 First Use In Commerce: 2003/05/05 Online business networking services		

U.S. Registration No.	3704030	Application Date	12/11/2007
Registration Date	11/03/2009	Foreign Priority Date	NONE

Word Mark	IN
Design Mark	
Description of Mark	The mark consists of the word "in" shown inside a square with shaded background.
Goods/Services	Class 035. First use: First Use: 2003/10/23 First Use In Commerce: 2003/10/23 Online business networking services

U.S. Registration No.	3704031	Application Date	12/11/2007
Registration Date	11/03/2009	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			

Description of Mark	The mark consists of the word "in" shown in white letters inside a blue square.
Goods/Services	Class 035. First use: First Use: 2003/10/23 First Use In Commerce: 2003/10/23 Online business networking services

U.S. Registration No.	3959413	Application Date	07/16/2009
Registration Date	05/10/2011	Foreign Priority Date	NONE

Word Mark	LINKEDIN
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Design Mark	
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Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".
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Goods/Services	Class 035. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Advertising and marketing services, namely, promoting goods and services for businesses; providing an online searchable database featuring employment and career opportunities and business, employment and professional queries and answers; job placement services, human resources consulting services; business research and survey services; promoting the goods and services of others via a global computer network; advertising, marketing and promotional services related to all industries for the purpose of facilitating networking and socializing opportunities for business purposes; charitable services, namely, promoting public awareness about community service; providing online career networking services and information in the fields of employment, recruitment, job resources, and job listings; personnel recruitment and placement services; electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sales purposes; providing networking opportunities for individuals seeking employment; on-line professional networking opportunities; providing online computer databases and online searchable databases in the fields of business and professional networking
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U.S. Registration No.	3959419	Application Date	07/16/2009
Registration Date	05/10/2011	Foreign Priority Date	NONE


Word Mark	IN
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Design Mark			
Description of Mark	The mark consists of the word "IN" shown inside a square with a shaded background.		
Goods/Services	<p>Class 035. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00</p> <p>Advertising and marketing services, namely, promoting goods and services for businesses; providing an online searchable database featuring employment and career opportunities and business, employment and professional queries and answers; job placement services, human resources consulting services; business research and survey services; promoting the goods and services of others via a global computer network; advertising, marketing and promotional services related to all industries for the purpose of facilitating networking and socializing opportunities for business purposes; charitable services, namely, promoting public awareness about community service; providing online career networking services and information in the fields of employment, recruitment, job resources, and job listings; personnel recruitment and placement services; electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sales purposes; providing networking opportunities for individuals seeking employment; on-line professional networking opportunities; providing online computer databases and online searchable databases in the fields of business and professional networking</p>		
U.S. Registration No.	3959420	Application Date	07/16/2009
Registration Date	05/10/2011	Foreign Priority Date	NONE
Word Mark	IN		





Design Mark			
Description of Mark	The mark consists of the word "IN" shown in white letters inside a blue square.		
Goods/Services	Class 035. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Advertising and marketing services, namely, promoting goods and services for businesses; providing an online searchable database featuring employment and career opportunities and business, employment and professional queries and answers; job placement services, human resources consulting services; business research and survey services; promoting the goods and services of others via a global computer network; advertising, marketing and promotional services related to all industries for the purpose of facilitating networking and socializing opportunities for business purposes; charitable services, namely, promoting public awareness about community service; providing online career networking services and information in the fields of employment, recruitment, job resources, and job listings; personnel recruitment and placement services; electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sales purposes; providing networking opportunities for individuals seeking employment; on-line professional networking opportunities; providing online computer databases and online searchable databases in the fields of business and professional networking		
U.S. Registration No.	3963244	Application Date	07/16/2009
Registration Date	05/17/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Advertising and marketing services, namely, promoting goods and services for businesses; providing an online searchable database featuring employment and career opportunities and business, employment and professional queries and answers; job placement services, human resources consulting services; business research and survey services; promoting the goods and services of others via a global computer network; advertising, marketing and promotional services related to all industries for the purpose of facilitating networking and socializing opportunities for business purposes; charitable services, namely, promoting public awareness about community service; providing online career networking services and information in the fields of employment, recruitment, job resources, and job listings; personnel recruitment and placement services; electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sales purposes; providing networking opportunities for individuals seeking employment; on-line professional networking opportunities; providing online computer databases and online searchable databases in the fields of business and professional networking

U.S. Registration No.	4067996	Application Date	07/16/2009
Registration Date	12/06/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 035. First use: First Use: 2010/11/00 First Use In Commerce: 2010/11/00 providing information all relating to consumer products, services, events and activities in a particular geographic region		

U.S. Registration No.	4158263	Application Date	07/16/2009
Registration Date	06/12/2012	Foreign Priority Date	NONE
Word Mark	LINKEDIN		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 2010/11/00 First Use In Commerce: 2010/11/00 providing information all relating to consumer products, services, events and activities in a particular geographic region; organizing and conducting job fairs; providing online interactive employment counseling

U.S. Registration No.	3975152	Application Date	07/16/2009
Registration Date	06/07/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 038. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 Telecommunications services, namely, electronic transmission of data and digital messaging via mobile handheld devices and via wired and wireless communication devices; telecommunications services, namely, enabling users to electronically transmit messages, text, multimedia content, videos, photos, audio, animation and images via a global computer network; providing online communications links which transfer website users to other websites; providing online forums, chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing access to computer, electronic and online databases; audio and video broadcasting services over the Internet, namely, posting, displaying, and electronically transmitting data, audio and video; providing access to computer databases in the fields of entertainment and education; providing access to computer databases in the field of social networking		

U.S. Registration No.	4023236	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		

Design Mark	<h1>LINKEDIN</h1>
Description of Mark	NONE
Goods/Services	Class 038. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 Telecommunications services, namely, electronic transmission of data and digital messaging via mobile handheld devices and via wired and wireless communication devices; telecommunications services, namely, enabling users to electronically transmit messages, text, multimedia content, videos, audio, animation and images via a global computer network; providing online communications links which transfer website users to other websites; providing online forums, chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing access to computer, electronic and online databases; audio and video broadcasting services over the Internet, namely, posting, displaying and electronically transmitting data, audio and video; providing access to computer databases in the fields of entertainment and education; providing access to computer databases in the field of social networking

U.S. Registration No.	4023238	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "IN" shown inside a square with a shaded background.		

Goods/Services	Class 038. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 Telecommunications services, namely, electronic transmission of data and digital messaging via mobile handheld devices and via wired and wireless communication devices; telecommunications services, namely, enabling users to electronically transmit messages, text, multimedia content, videos, photos, audio, animation and images via a global computer network; providing online communications links which transfer website users to other websites; providing online forums, chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing access to computer, electronic and online databases; audio and video broadcasting services over the Internet, namely, posting, displaying and electronically transmitting data, audio and video; providing access to computer databases in the fields of entertainment and education; providing access to computer databases in the field of social networking
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U.S. Registration No.	4023239	Application Date	07/16/2009
Registration Date	09/06/2011	Foreign Priority Date	NONE

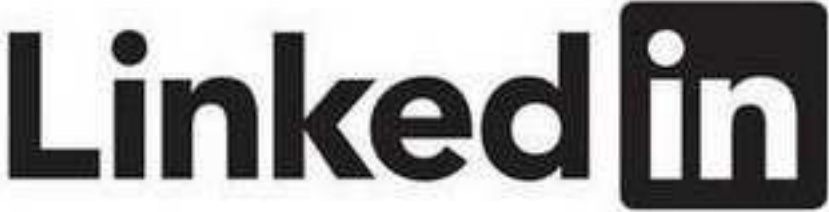
Word Mark	IN
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Design Mark	
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Description of Mark	The mark consists of the word "IN" shown in white letters inside a blue square.
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Goods/Services	Class 038. First use: First Use: 2008/12/00 First Use In Commerce: 2008/12/00 Telecommunications services, namely, electronic transmission of data and digital messaging via mobile handheld devices and via wired and wireless communication devices; telecommunications services, namely, enabling users to electronically transmit messages, text, multimedia content, videos, photos, audio, animation and images via a global computer network; providing online communications links which transfer website users to other websites; providing online forums, chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing access to computer, electronic and online databases; audio and video broadcasting services over the Internet, namely, posting, displaying and electronically transmitting data, audio and video; providing access to computer databases in the fields of entertainment
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	and education; providing access to computer databases in the field of social networking
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U.S. Registration No.	3971643	Application Date	07/16/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 041. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Entertainment and educational services, namely, conducting seminars, workshops, conferences and exhibitions featuring instructional presentations in the fields of personal development, career development, relationship building and social networking; entertainment and educational services, namely, conducting discussion groups in the fields of personal development, career development, relationship building and social networking; on-line journals, namely, blogs featuring information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest		

U.S. Registration No.	4016684	Application Date	07/16/2009
Registration Date	08/23/2011	Foreign Priority Date	NONE
Word Mark	IN		


Design Mark			
Description of Mark	The mark consists of the word "in" shown inside a square with a shaded background.		
Goods/Services	Class 041. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Entertainment and educational services,namely, conducting seminars, work-shops,conferences and exhibitions featuring instructional presentations in the fieldsof personal development, career development, relationship building and social networking; entertainment and educationalservices, namely, conducting discussiongroups in the fields of personal development, career development, re-lationship building and social networking; on-line journals, namely, blogs featur-ing information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest		
U.S. Registration No.	4016685	Application Date	07/16/2009
Registration Date	08/23/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Entertainment and educational services,namely, conducting seminars, work-		


	shops,conferences and exhibitions featuring instructional presentations in the fields of personal development, career development, relationship building and social networking; entertainment and educational services, namely, conducting discussion groups in the fields of personal development, career development, relationship building and social networking; on-line journals, namely, blogs featuring information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest
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U.S. Registration No.	4016687	Application Date	07/16/2009
Registration Date	08/23/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "in" shown in white letters inside a blue square.		
Goods/Services	Class 041. First use: First Use: 2007/09/00 First Use In Commerce: 2007/09/00 Entertainment and educational services,namely, conducting seminars, workshops,conferences and exhibitions featuring instructional presentations in the fields of personal development, career development, relationship building and social networking; entertainment and educational services, namely, conducting discussion groups in the fields of personal development, career development, relationship building and social networking; on-line journals, namely, blogs featuring information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest		

U.S. Registration No.	3967561	Application Date	07/16/2009
Registration Date	05/24/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		



Design Mark	
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via the Internet; computer services, namely, creating an on-line community for registered users to organize groups, events, participate in discussions, share information and resources, and engage in social, business and community networking; providing temporary use of on-line non-downloadable software for allowing web site users to communicate information of general interest for purposes of social, business and community networking, marketing, recruitment and employment; providing a website featuring temporary use of non-downloadable software enabling users to search, locate and communicate with others via electronic communications networks to network, conduct surveys, track online reference to job opportunities and business topics; computer services in the nature of customized web pages featuring user-defined information, personal profiles, audio and images; scientific and industrial research in the fields of business and online social networking; providing a web site featuring temporary use of non-downloadable software allowing web site users to post and display online videos and photos for sharing with others for entertainment purposes; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking featuring social media including photos, audio and video content on general topics of social interest

U.S. Registration No.	3979174	Application Date	07/16/2009
Registration Date	06/14/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 042. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via the Internet; computer services, namely, creating an on-line community for registered users to organize groups, events, participate in discussions, share information and re-		

	sources, and engage in social, business and community networking; providing temporary use of on-line non-downloadable software for allowing web site users to communicate information of general interest for purposes of social, business and community networking, marketing, recruitment and employment; providing a website featuring temporary use of non-downloadable software enabling users to search, locate and communicate with others via electronic communications networks to network, conduct surveys, track online reference to job opportunities and business topics; computer services in the nature of customized web pages featuring user-defined information, personal profiles, and images; scientific and industrial research in the fields of business and online social networking; providing a web site featuring temporary use of non-downloadable software allowing web site users to post and display online videos and photos for sharing with others for entertainment purposes; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking featuring social media including photos, audio and video content on general topics of social interest
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U.S. Registration No.	3971641	Application Date	07/16/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "IN" shown inside a square with a shaded background.		
Goods/Services	Class 042. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via the Internet; computer services, namely, creating an on-line community for registered users to organize groups, events, participate in discussions, share information and resources, and engage in social, business and community networking; providing temporary use of on-line non-downloadable software for allowing web site users to communicate information of general interest for purposes of social, business and community networking, marketing, recruitment and employment; providing a		

	website featuring temporary use of non-downloadable software enabling users to search, locate and communicate with others via electronic communications networks to network, conduct surveys, track online reference to job opportunities and business topics; computer services in the nature of customized web pages featuring user-defined information, personal profiles, and images; scientific and industrial research in the fields of business and online social networking; providing a web site featuring temporary use of non-downloadable software allowing web site users to post and display online videos and photos for sharing with others for entertainment purposes; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking featuring social media including photos, audio and video content on general topics of social interest
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U.S. Registration No.	3971640	Application Date	07/16/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "IN" shown in white letters inside a blue square.		
Goods/Services	Class 042. First use: First Use: 2008/07/00 First Use In Commerce: 2008/07/00 Computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via the Internet; computer services, namely, creating an on-line community for registered users to organize groups, events, participate in discussions, share information and resources, and engage in social, business and community networking; providing temporary use of on-line non-downloadable software for allowing web site users to communicate information of general interest for purposes of social, business and community networking, marketing, recruitment and employment; providing a website featuring temporary use of non-downloadable software enabling users to search, locate and communicate with others via electronic communications networks to network, conduct surveys, track online reference to job opportunities and business topics; computer services in the nature of customized web pages		


	featuring user-defined information, personal profiles, and images; scientific and industrial research in the fields of business and online social networking; providing a web site featuring temporary use of non-downloadable software allowing web site users to post and display online videos and photos for sharing with others for entertainment purposes; computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking featuring social media including photos, audio and video content on general topics of social interest
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U.S. Registration No.	3971644	Application Date	07/16/2009
Registration Date	05/31/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 045. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 Social introduction and social networking services; licensing of computer software and intellectual property		

U.S. Registration No.	4007079	Application Date	07/16/2009
Registration Date	08/02/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 045. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 Social introduction and social networking services; licensing of computer software and intellectual property		

U.S. Registration No.	4016686	Application Date	07/16/2009
Registration Date	08/23/2011	Foreign Priority	NONE

		Date	
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "in" shown inside a square with a shaded background.		
Goods/Services	Class 045. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 Social introduction and social networking services; licensing of computer software and intellectual property		
U.S. Registration No.	4016688	Application Date	07/16/2009
Registration Date	08/23/2011	Foreign Priority Date	NONE
Word Mark	IN		

Design Mark	
Description of Mark	The mark consists of the word "in" shown in white letters inside a blue square.
Goods/Services	Class 045. First use: First Use: 2003/05/00 First Use In Commerce: 2003/05/00 Social introduction and social networking services; licensing of computer software and intellectual property

U.S. Registration No.	4060449	Application Date	07/16/2009
Registration Date	11/22/2011	Foreign Priority Date	NONE
Word Mark	LINKEDIN		
Design Mark			
Description of Mark	The mark consists of the word "LINKED" next to a square with a shaded background containing the word "IN".		
Goods/Services	Class 045. First use: First Use: 2011/09/07 First Use In Commerce: 2011/09/07 Providing information in the field of personal development, namely, self-improvement, self-fulfillment and interpersonal communications relating to community, humanitarian and philanthropic activities		

U.S. Registration No.	4109229	Application Date	07/16/2009
Registration Date	03/06/2012	Foreign Priority Date	NONE
Word Mark	LINKEDIN		

Design Mark	<b>LINKEDIN</b>
Description of Mark	NONE
Goods/Services	Class 045. First use: First Use: 2011/09/07 First Use In Commerce: 2011/09/07 Providing information in the field of personal development, namely, self-improvement, self-fulfillment and interpersonal communications relating to community, humanitarian and philanthropic activities


U.S. Registration No.	4190987	Application Date	07/16/2009
Registration Date	08/14/2012	Foreign Priority Date	NONE

Word Mark	IN
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Design Mark	
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Description of Mark	The mark consists of the word "in" shown inside a square with a shaded background.
Goods/Services	Class 045. First use: First Use: 2011/09/07 First Use In Commerce: 2011/09/07 Providing information in the field of personal development, namely, self-improvement, self-fulfillment and interpersonal communications relating to community, humanitarian and philanthropic activities

U.S. Registration No.	4194943	Application Date	07/16/2009
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Registration Date	08/21/2012	Foreign Priority Date	NONE
Word Mark	IN		
Design Mark			
Description of Mark	The mark consists of the word "in" shown in white letters inside a blue square.		
Goods/Services	Class 045. First use: First Use: 2011/09/07 First Use In Commerce: 2011/09/07 Providing information in the field of personal development, namely, self-improvement, self-fulfillment and interpersonal communications relating to community, humanitarian and philanthropic activities		

Attachments	77981734#TMSN.png( bytes ) 77982133#TMSN.png( bytes ) 77982139#TMSN.png( bytes ) 77982142#TMSN.png( bytes ) 78245639#TMSN.png( bytes ) 78245676#TMSN.png( bytes ) 77349546#TMSN.png( bytes ) 77349553#TMSN.png( bytes ) 77981556#TMSN.png( bytes ) 77981607#TMSN.png( bytes ) 77981608#TMSN.png( bytes ) 77981606#TMSN.png( bytes ) 77982578#TMSN.png( bytes ) 77982924#TMSN.png( bytes ) 77782942#TMSN.png( bytes ) 77782811#TMSN.png( bytes ) 77782871#TMSN.png( bytes ) 77782904#TMSN.png( bytes ) 77981735#TMSN.png( bytes ) 77982134#TMSN.png( bytes ) 77982140#TMSN.png( bytes ) 77982144#TMSN.png( bytes ) 77981731#TMSN.png( bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Judd D. Lauter/
Name	Judd D. Lauter
Date	11/30/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 86/507594  
For the Trademark inYOW  
Published in the Official Gazette  
on June 2, 2015

LINKEDIN CORPORATION,	)	
	)	
Opposer,	)	
	)	Opposition No.
v.	)	
	)	
inYOW, LLC,	)	
	)	
	)	
Applicant.	)	
_____	)	

**NOTICE OF OPPOSITION**

Opposer LinkedIn Corporation (“LinkedIn”), a Delaware corporation having its principal place of business at 2029 Stierlin Court, Mountain View, California 94043, believes that it will be damaged by the issuance of a registration for the mark inYOW in Application Serial No. 86/507594 filed January 19, 2015, by inYOW, LLC, a Delaware limited liability company, identifying its place of business as Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 (“Applicant”). LinkedIn hereby opposes Applicant’s application pursuant to Section 13 of the United States Trademark Act, as amended, 15 U.S.C. §1063.

As grounds for opposition, LinkedIn alleges that:

1. LinkedIn operates the world's largest professional network on the Internet with more than 400 million members in over 200 countries and territories. LinkedIn continues to grow at a rate of approximately two new members every second. LinkedIn's networking software and services facilitate the ability of users to identify, communicate with, and exchange information on a wide variety of subjects, including career and business opportunities. LinkedIn's members include a broad range of individuals and enterprises seeking to engage in business and community networking and share information and resources relevant to their business and professional activities. LinkedIn members have the ability to read the posts of others including individuals identified as leaders in particular field (known as LinkedIn Influencers), provide comments and otherwise engage in a dialogue with others on topics of interest. LinkedIn users have the ability to form and join groups, each of which is centered on a particular subject. Groups offer members a more focused network within which to promote their services, develop personal and professional connections, identify business opportunities and share resources. Members also use LinkedIn's software and services to grow their businesses through a variety of advanced marketing solutions (the "LinkedIn Marketing Solutions") designed to build professional relationships and reach targeted, high-quality audiences. LinkedIn offers its networking services via its website at linkedin.com and also via a mobile application.

2. Since its launch in 2003, LinkedIn has continuously used the marks LINKEDIN, LINKEDIN & Design, and IN & Design (collectively the "LINKEDIN Marks") in interstate commerce in the United States in connection with its software and services.

3. LinkedIn is the owner of numerous U.S. registrations for the LINKEDIN Marks on the Principal Register including without limitation: U.S. Registration No. 3,971,642 issued on May 31, 2011 and Registration Nos. 4,023,511, 4,023,512, and 4,023,513 issued on September 6,

2011 and covering, *inter alia*, "...computer software for the collection, editing, organizing, modifying, bookmarking, transmission, storage and sharing of data and information in the fields of business and social networking, employment, careers and recruiting; downloadable electronic publications in the nature of newsletters, research reports, articles and white papers on topics of professional interest, all in the fields of business and social networking, recruiting and employment, and personal and career development..." in Class 9; U.S. Registration Nos. 3,074,241 and 3,074,242 issued on March 28, 2006 and U.S. Registration Nos. 3,704,030 and 3,704,031 issued on November 3, 2009 and covering "[o]nline business networking services" in Class 35; U.S. Registration Nos. 3,959,413, 3,959,419, and 3,959,420 issued on May 10, 2011, and U.S. Registration No. 3,963,244 issued on May 17, 2011, and covering, *inter alia*, "advertising and marketing services, namely, promoting goods and services for businesses; ... promoting the goods and services of others via a global computer network; advertising, marketing and promotional services related to all industries for the purpose of facilitating networking and socializing opportunities for business purposes; ... electronic commerce services, namely, providing information about products and services via telecommunication networks for advertising and sales purposes; providing networking opportunities for individuals seeking employment; on-line professional networking opportunities; providing online computer databases and online searchable databases in the fields of business and professional networking" in Class 35; U.S. Registration No. 4,067,996 issued on December 6, 2011 and covering "providing information all relating to consumer products, services, events and activities in a particular geographic region" in Class 35; U.S. Registration No. 4,158,263 issued on June 12, 2012 and covering, *inter alia*, "providing information all relating to consumer products, services, events and activities in a particular geographic region..." in Class 35; U.S. Registration No.

3,975,152 issued on June 7, 2011, and U.S. Registration Nos. 4,023,236, 4,023,238, and 4,023,239 issued on September 6, 2011, and covering “telecommunications services, namely, electronic transmission of data and digital messaging via mobile handheld devices and via wired and wireless communication devices; telecommunications services, namely, enabling users to electronically transmit messages, text, multimedia content, videos, photos, audio, animation and images via a global computer network; providing online communications links which transfer website users to other websites; providing online forums, chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest; providing access to computer, electronic and online databases; audio and video broadcasting services over the Internet, namely, posting, displaying and electronically transmitting data, audio and video; providing access to computer databases in the fields of entertainment and education; providing access to computer databases in the field of social networking” in Class 38; U.S. Registration No. 3,971,643 issued on May 31, 2011, and U.S. Registration Nos. 4,016,684, 4,016,685, and 4,016,687 issued on August 23, 2011 covering, *inter alia*, “on-line journals, namely, blogs featuring information about personal development and career development; online electronic publishing services, namely, publication of text and graphic works of others featuring information regarding topics of professional interest” in Class 41; U.S. Registration Nos. 3,967,561 and 3,979,174 issued on May 24, 2011 and June 14, 2011, respectively, and U.S. Registration Nos. 3,971,641 and 3,971,640 issued May 31, 2011 and covering, *inter alia*, “computer services, namely, hosting electronic facilities for others for organizing and conducting meetings, events and interactive discussions via the Internet; computer services, namely, creating an on-line community for registered users to organize groups, events, participate in discussions, share information and resources, and engage in social, business and community networking;

providing temporary use of on-line non-downloadable software for allowing web site users to communicate information of general interest for purposes of social, business and community networking, marketing, recruitment and employment; providing a website featuring temporary use of non-downloadable software enabling users to search, locate and communicate with others via electronic communications networks to network, conduct surveys, track online reference to job opportunities and business topics; ...computer services, namely, creating an on-line community for registered users to participate in discussions, get feedback from their peers, form virtual communities, and engage in social networking featuring social media including photos, audio and video content on general topics of social interest” in Class 42; U.S. Registration Nos. 3,971,644 and 4,007,079 issued on May 31, 2011 and August 2, 2011, respectively, and U.S. Registration Nos. 4,016,686 and 4,016,688 issued on August 23, 2011, and covering, *inter alia*, “social introduction and social networking services...” in Class 45; and U.S. Registration No. 4,060,449 issued on November 22, 2011, U.S. Registration No. 4,109,229 issued on March 6, 2012, U.S. Registration No. 4,190,987 issued on August 14, 2012, and U.S. Registration No. 4,194,943 issued on August 21, 2012, all covering “providing information in the field of personal development, namely, self-improvement, self-fulfillment and interpersonal communications relating to community, humanitarian and philanthropic activities” in Class 45.

4. LinkedIn also owns common law rights in the LINKEDIN Marks arising from its continual use of these marks in connection with its software and services offerings since 2003.

5. LinkedIn has expended considerable effort and expense in promoting the LINKEDIN Marks and the software and services offered in connection with these marks, both in the United States and internationally, and the Marks embody the substantial and valuable

reputation and goodwill that LinkedIn has earned in the marketplace for its high quality networking software and services.

6. In addition to its own advertising efforts, LinkedIn has been the subject of thousands of unsolicited stories in the media, highlighting LinkedIn's innovative and successful software and online networking services. LinkedIn has also received awards and recognitions for its innovative offerings.

7. As a result of LinkedIn's widespread use of the LINKEDIN Marks worldwide, extensive advertising and promotion and continuous and unsolicited media coverage, as well as the high degree of consumer recognition of the LINKEDIN Marks, the strong and loyal base of customers that LinkedIn enjoys for its software and services, and LinkedIn's trademark registrations, among other factors, the LINKEDIN Marks are famous within the meaning of Section 43(c) of the United States Trademark Act, 15 U.S.C. §1125(c).

#### **APPLICANT AND ITS PENDING APPLICATION**

8. Applicant seeks to register the mark inYOW in connection with the following goods and services:

Class 9: Computer software for enabling uploading, downloading, accessing, posting, displaying, editing, tagging, blogging, streaming, linking, sharing and otherwise providing electronic media and information via computer and communication networks, and the collection, editing, organizing, modifying, transmission, storage and sharing of user-defined content and information.; Software for sending and receiving electronic messages, graphics, images, audio and audio visual content via global communication networks;

Class 35: Advertising and marketing services provided by means of indirect methods of marketing communications, namely, social media, search engine marketing, inquiry marketing, internet marketing, mobile marketing, blogging and other forms of passive, sharable or viral communications channels;

Class 38: Audio and video broadcasting services over the internet; peer-to-peer network computer services, namely, electronic transmission of audio, video and

other data and documents among computers; peer-to-peer photo sharing services, namely, electronic transmission of digital photo files among internet users; providing on-line chat rooms and electronic bulletin boards for transmission of messages among users in the field of general interest;

Class 41: On-line journals, namely, blogs featuring user-defined content in the form of multi-media stories and commentary;

Class 42: Providing customized on-line web pages and data feeds featuring user-defined information, which includes blog posts, new media content, other on-line content, and on-line web links to other websites; and

Class 45: On-line social networking services; providing on-line computer databases and on-line searchable databases in the field of social networking

**9.** This application was published in the *Official Gazette* of the PTO on June 2, 2015. LinkedIn filed a Request for Extension of Time to Oppose on June 29, 2015 and a Consented Request for Extension of Time to Oppose on September 18, 2015, both of which were granted extending the time to oppose to November 29, 2015. This Opposition is timely filed.

**10.** The inYOW mark is substantially similar to the LINKEDIN Marks in sight, sound, and overall commercial impression. In particular, the inYOW mark incorporates and highlights the distinctive IN element of LinkedIn's Marks and depicts the IN component in a lowercase font closely similar to the lowercase font utilized by LinkedIn for its LINKEDIN Marks

**11.** The software and services intended to be offered under the inYOW mark are substantially similar, if not identical, to those provided by LinkedIn. Specifically, under the LINKEDIN Marks, LinkedIn provides mobile application software and online services which enable users to communicate information on a wide range of topics for purposes of social, business and community networking and marketing and which facilitate the ability of users to search, locate and engage with others via electronic communications networks, as well as share



data and information in the fields of business and social networking, employment, and career development.

**12.** On information and belief, and based on Applicant's description of services in the Application, Applicant's software is intended similarly to facilitate and feature the sharing of content and information among users and is to be used for social networking and sharing a wide variety of media and information. Applicant's offering is therefore directly overlapping with LinkedIn's offering.

**13.** Due to the similarities in commercial impression with the LINKEDIN Marks and the direct overlap in offerings, the inYOW mark is likely to create consumer confusion.

**14.** Upon information and belief, Applicant selected the inYOW mark with knowledge of the LINKEDIN Marks.

**15.** LinkedIn is not affiliated or connected with Applicant or its services; nor has LinkedIn endorsed or sponsored Applicant or its services.

**16.** There is no issue as to priority of use. LinkedIn began using its LINKEDIN Marks, and enjoys priority as a result of the filing dates of its trademark registrations, well prior to the filing date of the application for the inYOW mark.

**FIRST GROUND FOR OPPOSITION  
LIKELIHOOD OF CONFUSION**

**17.** LinkedIn incorporates by reference paragraphs 1 through 16, inclusive, as if fully set forth here.

**18.** The mark Applicant proposes to register, inYOW, is highly similar to the LINKEDIN Marks in appearance, sound, and commercial impression because it uses and prominently features the IN formative associated with the LinkedIn Marks. The IN formative is

accompanied only by the letters YOW which, on information and belief, Applicant uses as a generic term to refer to the phrase “your own words” which describes a feature of Applicant’s offering, namely the ability of users to post comments and information. In addition, Applicant’s use of the inYOW mark imitates the appearance of the IN formative in the LinkedIn Marks as follows:



**19.** The software and services offered by each party are closely related. According to the identification of goods and services in the subject application, Applicant intends to use the inYOW mark in connection with a broad range of software and services all directed to facilitating and supporting the ability of users to engage with others, form communities, network, and otherwise share information on a broad range of topics. These goods and services are related to and overlapping with LinkedIn’s goods and services.

**20.** LinkedIn is not affiliated or connected with Applicant or its software and services; nor has LinkedIn endorsed or sponsored Applicant or its software and services.

**21.** Registration of Applicant’s inYOW mark will injure LinkedIn by causing the public to be confused or mistaken into believing that the software and services provided by Applicant are endorsed or sponsored by LinkedIn. LinkedIn has no control over the nature and quality of the software and services offered by Applicant under the inYOW mark, and LinkedIn’s reputation and goodwill will be damaged and the value of the LINKEDIN Marks jeopardized, all to LinkedIn’s detriment.

**22.** Accordingly, registration of the mark herein opposed will damage LinkedIn because Applicant’s mark is likely, when used on or in connection with the software and services

described in the opposed application, to cause confusion, or to cause mistake or to deceive. Thus Applicant's inYOW mark is unregistrable under Sections 2(d) and 3 of the United States Trademark Act, as amended, 15 U.S.C. §§1052 and 1053, and should be refused registration.

**SECOND GROUND FOR OPPOSITION  
DILUTION OF A FAMOUS MARK**

**23.** LinkedIn incorporates by reference paragraphs 1 through 22, inclusive, as if fully set forth here.

**24.** The LINKEDIN Marks are highly distinctive of LinkedIn's software and services.

**25.** LinkedIn has used the LINKEDIN Marks since at least 2003 for online business and professional networking services and related software and services, including providing access to and facilitating the sharing of information on a wide variety of topics, as alleged.

**26.** LinkedIn has extensively advertised and promoted the LINKEDIN Marks. LinkedIn and the LINKEDIN Marks have also enjoyed extensive media attention.

**27.** As a result of the considerable publicity afforded the LINKEDIN Marks, and the strong and loyal base of customers that LinkedIn enjoys for its software and services, the LINKEDIN Marks have a high degree of consumer recognition.

**28.** LinkedIn is the owner of U.S. registrations for the LINKEDIN Marks.

**29.** Apart from unauthorized infringing uses of such marks, LinkedIn is not aware of any material use of any highly similar mark by others.

**30.** Accordingly, when the public encounters the term LINKEDIN, it immediately associates the term with LinkedIn, and thus the LINKEDIN Marks are famous.

**31.** The LINKEDIN Marks became famous before Applicant filed its application for the inYOW mark on January 19, 2015.

**32.** The inYOW mark is similar to the LINKEDIN Marks, and it is likely to cause dilution of the famous LINKEDIN Marks, including dilution by blurring, all to LinkedIn's damage.

**33.** Registration of the mark herein opposed is likely to dilute LinkedIn's famous LINKEDIN Marks by creating an association between the marks that impairs the distinctiveness of the LINKEDIN Marks. Thus, Applicant's inYOW mark is unregistrable pursuant to Sections 2(a)(d), 3, 13, and 43(c) of the United States Trademark Act.

**34.** Wherefore, LinkedIn prays that this Opposition be sustained, and that Application Serial No. 86/507594 be refused.

Please recognize the following as attorneys for LinkedIn in this proceeding: Janet L. Cullum, Anne H. Peck, Peter J. Willsey, and Judd D. Lauter (members of the Bar of the States of New York, California or Virginia), and the firm of Cooley LLP, 1114 Avenue of the Americas, New York, New York 10036-7798.

Please address all communications to Janet L. Cullum at the address below.

In accordance with 37 C.F.R. §§ 2.101 and 2.6(a)(17), the fees for one International Class for the opposed application are submitted herewith.

Respectfully submitted,  
COOLEY LLP  
Janet L. Cullum

Date: November 30, 2015

By: /Janet L Cullum/  
Janet L. Cullum  
Attorneys for Opposer  
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 30, 2015, true and correct copies of the foregoing **NOTICE OF OPPOSITION** have been served by mailing said copies via First Class Mail, postage prepaid to Applicant's counsel of record at the following address:

Alexandrea Simser  
4448 Chastain Drive  
Melbourne, Florida 32940-1268

Date: November 30, 2015

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